

REMARKS

This Request is responsive to the Office Action dated August 26, 2004. Claims 3, 4, 7, 10-17, 31 and 63 were pending in the application. In the Office Action, claims 3, 4, 7, 10-17, 31 and 63 were rejected. In this Request, no claims have been amended or canceled. Claims 3, 4, 7, 10-17, 31 and 63 thus remain for consideration.

Applicants submit that claims 3, 4, 7, 10-17, 31 and 63 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

Specification

Applicants have made numerous amendments to the specification, and believe that the specification is now in compliance with all formality requirements. No new matter has been added.

§102 or §103 Rejections

Claims 3, 4, 7, 10-17, 31 and 63 were rejected under 35 U.S.C. §102(e) as being anticipated by or in the alternative under 35 U.S.C. §103(a) as being unpatentable over Nakamura (U.S. Patent No. 6,291,763 B1).

The Examiner asserts that Nakamura discloses a photoelectric conversion device comprising, amongst other layers, a charge transporting layer wherein a molten salt or a mixture of molten salts is used. The Examiner then refers to a table (Column 17 – Column 25) in Nakamura and asserts that the salts Y19, Y20, Y26, Y27, Y31, Y33 and Y35 are polymeric. However, the molten salts disclosed by Nakamura are not polymeric. To someone skilled in the

art, a polymer consists of a plurality of similar or identical low molecular weight building blocks, i.e., monomers. There are no such monomers in any of the salts cited by the Examiner. If the Examiner believes that the salts of Nakamura are polymers, then the Examiner should be able to explain their alleged polymeric nature. In addition to the salts of Nakamura not being polymeric, it should be stressed that since the salts are not polymeric, they also do not have a glass transition temperature. There is no teaching or suggestion in Nakamura that a polymeric electrically conducting agent should be used, as instantly claimed.

Furthermore, the Examiner's argument is that, since the salts are molten salts, their melting temperature must be lower than the operation temperature of the photocell. However, since Nakamura does not appear to explicitly mention anything concerning the operation temperature of a photoelectric conversion device, we cannot accept the Examiner's allegation that the feature "*a melting point temperature which is lower than the operation temperature of said photoelectric conversion device*" is obvious in view of Nakamura.

Applicants submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicants undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.


The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,

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